GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Services – Disciplinary Cases – Review of orders of suspension against Government Servants – Further orders – Issued.

GENERAL ADMINISTRATION (SER-C) DEPARTMENT

G.O.Ms.No.22. **Dated:29.02.2024.**

Read the following:-

1) G.O.Ms.No.480, G.A. (Ser.C) Dept., Dt.07.09.1993.
2) G.O.Ms.No.86, G.A. (Ser.C) Dept., Dt.08.03.1994.
3) G.O.Ms.No.526, G.A. (Ser.C)Dept., Dt.19.8.2008.
4) G.O.Rt.No.2285, G.A.(Ser.C) Dept., Dt.18.05.2012.

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ORDER:

In the G.O. first read above, orders have been issued for review of the suspension cases of Gazetted and Non-Gazetted Officers, indicating the authorities empowered to undertake such review of orders of suspension for continuance beyond the period of six months.

2. In the G.O. second read above, orders have been issued as follows:

(i) The order of suspension against a Govt. servant shall be reviewed at the end of every six months;

(ii) The appropriate reviewing authority should take a decision regarding continuance or otherwise of the employee concerned under suspension, with reference to the nature of charges, where delay in finalisation, of enquiry proceedings cannot be attributed to the employee or when there is no interference from the employee in facilitation the enquiry;

(iii) An outer limit be provided as two years from the date of suspension, failing which the public servant may have to be reinstated without prejudice to the proceedings being pursued. However, in exceptional cases, considering the gravity of the charges, one could be continued under suspension even beyond a period of two years, especially in cases due to non-cooperation of the employee concerned and

(iv) The concerned Principal Secretary/ Secretary of the Department should review the suspension cases of their Department at an interval of six months with the representative from the ACB, if the proceedings arose out of the investigation conducted by the ACB and make suitable recommendations as to the desirability or otherwise for the further continuance of the officers under suspension.

3. In the G.O. third read above, orders have been issued that the employees who are under suspension for a period exceeding two years shall be reinstated pending finalisation of the disciplinary cases/ criminal cases against him. However, in exceptional cases, for example, where the charged officers are not cooperating for completion of investigation/ inquiry or when the inquiry/ investigation could not be completed due to pendency of litigation, a committee headed by the Secretary of the administrative department, Head of the Department concerned and an official from the ACB (where the cases are emanated from the ACB investigation), shall review the orders of suspension against the employees who are continued under suspension well before completion of two years of suspension and take a decision to continue such employees under suspension beyond two years, duly recording the reasons for such a decision.

(PTO)

4. In the G.O. fourth read above, orders have also been issued as follows:-

(i) Consultation with the Andhra Pradesh Vigilance Commission for advice is not required in respect of the cases, where it is decided to reinstate the employees, who are under suspension for a period not less than 2 years, based on the decision taken in the review as per the orders issued in the G.Os. second and third read above, provided an Official from the ACB invariably attends such review meetings in all ACB cases;

(ii) Consultation with the Andhra Pradesh Vigilance Commission for advice is invariably required in respect of the cases, where it is decided to reinstate the employees, before completion of 2 years of suspension period.

5. After careful examination of the matter, after reviewing the said G.Os., duly obtaining the advice of the Competent Authority and in modification of the orders issued in the G.Os. 1st to 4th read above, Government hereby direct to reduce the outer limit of suspension of Government servant from two (2) years to one (1) year from the date of suspension of the Government servant fixed in G.O.Ms.No.86, G.A.(Ser.C) Dept., dt.8.3.1994 read with G.O.Ms.No.526, G.A. (Ser.C) Dept., dt.19.8.2008 and G.O.Rt.No.2285, G.A.(Ser.C) Dept., Dt.18.05.2012 for reinstatement of the Government servant under suspension, subject to all other conditions stipulated therein and also direct to review the order of suspension against a Government servant both in ACB and Departmental Inquiries at the end of every four (4) months instead of six (6) months fixed in G.O.Ms.No.86, G.A. (Ser.C) Dept., dt.8.3.1994.

6. All the Departments of Secretariat/Heads of Departments/District Collectors and other Competent Authorities shall take necessary further action in the matter accordingly.

7. A copy of this order is available in online and can be accessed at https://apegazette.cgg.gov.in

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr. K.S.JAWAHAR REDDY
CHIEF SECRETARY TO GOVERNMENT

To
All Departments of Secretariat.
All Heads of Departments.
All District Collectors.
All District Judges.
The D.G., A.C.B., A.P., Vijayawada.
The Secretary to APVC, APVC.
The Secretary, APPSC, Vijayawada.
Copy to:-
The Registrar General, Andhra Pradesh High Court, Nelapadu, Guntur District (by covering letter).
All service sections in GAD including G.A.(SC.D/F) Dept.
The P.S. to Spl.C.S. to C.M.
The P.S. to C.S.
The P.S. to Secretary (SER & HRM).
SF/SC.

//FORWARDED:: BY ORDER//

SECTION OFFICER